



To: Gary Miller

From: Jessica White, Tammy Ash, Ken Rice, Keith Tischler, Don Pitts, Richard Seiler

Date: September 15, 2005

Re: Comments for 'Draft Screening Level Ecological Risk Assessment' for the Gulfco Marine Maintenance Superfund Site

National Oceanic and Atmospheric Administration, Texas General Land Office, US Fish and Wildlife Service, Texas Commission on Environmental Quality, and Texas Parks and Wildlife Department would like to provide the following comments for your consideration.

This document is premature in eliminating COPCs or ecological pathways at this point in the RI/FS process.

a. A thorough delineation of contamination in all media at the site should be completed before COPCs can be eliminated for ecological risk assessment. For example, this SLERA admits there is not enough information about these media (groundwater and surface water) to determine whether they may affect ecological receptors, but does not include groundwater or surface water sampling recommendations in its conclusions and does not plan to evaluate risk to receptors from these pathways. Groundwater data is available; however, the SLERA declines to discuss the data, stating only that the data will be discussed in the RI/FS Work Plan for the site. This pathway and the other ecological pathways need to be clarified before eliminating it from considerations. The potential for groundwater surface expression (aerial or subaqueous), noted within the report as relevant to the ecologic perspective, remains plausible given the field observed tidal connection to Oyster Creek and the Intracoastal Waterway. All potential contaminant transport mechanisms must be thoroughly evaluated to determine if a complete pathway exists prior to elimination from ecologic consideration.

b. Screening out COPCs based on data from the SSI is not appropriate. The SLERA assumes the SSI data is "of adequate quantity and quality for the purposes of preparing the SLERA," but in fact this use of SSI data is contrary to the purpose of an SSI in the HRS process. The lack of SSI data suitability is exemplified by the reports acknowledging that "some of the detection limits, especially for the PAH's, were higher than available levels when available". Consequently the use of SSI data does not support the Purpose and Scope's intent of providing a "conservative assessment". The TCEQ and EPA use the SSI as a screening mechanism to determine whether a site should be placed on the NPL. The HRS and SSI are not risk assessment documents. Initial studies such as an SSI, which are used in the preparation of the HRS documentation, are not as detailed in scope as an RI/FS delineation of nature and extent of contamination. They are used as screening tools to identify those sites that represent the highest priority for further investigation and possible cleanup under the Superfund program. Their purpose is not to fully characterize the source and the extent of the contamination at a site or to define site risks to human health and the environment. This is accomplished during the RI/FS. Therefore the SLERA should rely heavily on data obtained during the RI and less on the screening data used to list the site.

c. Screening out COPCs based on background locations not approved for ecological and human health risk assessment purposes is inappropriate. According to EPA policy, "comparison with background levels generally cannot be used to remove contaminants of concern owing to the need to fully characterize site risk. Consideration of background assumes that background contaminant levels have been properly determined." If background locations will be used in the RI/FS process to eliminate COPCs, the suitability of any background locations should be approved by EPA in conjunction with the Trustees and fully described in the ecological risk assessment.